

Application No. 10/608,430
Reply dated November 12, 2004
Response to Office Action dated August 12, 2004

REMARKS/ARGUMENT

Description of amendments

In the specification, amendments have been made to replace the word "Teflon" with the word "polytetrafluorethylene."

Claims 1-15 are now pending and under examination. Applicant has amended claim 12, and added new claims 14 and 15. The new claims are supported by paragraphs [0015], [0018], and [0019] of the specification.

Objections to the specification and claims

The specification and claim 12 were each objected to for containing the word "Teflon." The word "Teflon" has been replaced by its technical term "polytetrafluorethylene." Therefore, the objections have been overcome.

Rejections under 35 U.S.C. §§102 and 103(a)

Claims 1-12 were rejected under 35 U.S.C. §102(b) as being anticipated by Bayerlein (U.S. Patent 6,153,098). Claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bayerlein in view of Cox (U.S. Patent 6,524,360) or Benson (U.S. Patent 6,746,517). For the following reasons, Applicant respectfully requests reconsideration and withdrawal of the rejections.

Claims 1 and 13 each recite that "at least one filter mat comprises a plurality of layers of a filter material and a membrane disposed between the layers."

In the Office Action, the Examiner contended that Bayerlein discloses filter layers (column 6, lines 31-39) and a membrane disposed between the filter layers (column 8, lines 64 and 65).

Applicant respectfully disagrees with the Examiner's reading of Bayerlein. First, Bayerlein does not mention the word "membrane." Column 8, lines 64 and 65, of Bayerlein, which according to the Examiner discloses the use of a membrane, discloses only that the filter media (52) may include, among others, Teflon. But it makes no mention of the word "membrane."

Second, not only Bayerlein does not mention the word "membrane," it also does not teach placing a membrane between filter layers. The Examiner contended that column 6, lines 31-39, of Bayerlein discloses the filter layers (58). However, no membrane is disposed between the filter layers (58). If the Examiner contends that the filter media (52) is a membrane, the filter media (52) cannot be disposed between the filter layers (58), because the filter layers (58) form the filter media (52) (see also column 5, lines 14-17). Therefore, since the filter media (52) is the filter layers (58), the filter media (52) cannot be disposed between the filter layers (58) because it cannot be disposed between itself.

Therefore, since the cited references do not teach or suggest every limitation of claims 1 and 13, they cannot anticipate, or render obvious, claims 1 and 13. Claims 2-12 are also patentable over the cited references because they depend from claim 1.

The new claims (i.e. claims 14 and 15) are also patentable because they disclose limitations not taught or suggested by the cited references. For example, the new claims disclose a perforated central tube on which the at least one filter mat is mounted, a pre-separator nonwoven web on the upstream side of the membrane, and a post-separator nonwoven web on the downstream side of the membrane. These features are not taught or suggested by the cited references.

In light of the foregoing remarks, this application is considered to be in condition for allowance, and early passage of this case to issue is respectfully


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requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #03714151861US).

Respectfully submitted,

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